

MEMORANDUM

December 2, 2011

TO: Planning, Housing, and Economic Development Committee  
FROM: <sup>GO</sup> Glenn Orlin, Deputy Council Staff Director  
SUBJECT: Kensington and Vicinity Sector Plan—fiscal impact and transportation elements

**Please bring your copies of the Draft Sector Plan to this worksession.**

On March 17, 2010 the PHED Committee held a worksession to review the fiscal impact and transportation elements of the Planning Board's October 2009 Draft of the Kensington and Vicinity Sector Plan, and it made some specific recommendations to change the draft. In June 2011 the Planning Board transmitted a revised draft; in most respects the fiscal impact and transportation elements are either unchanged or only slightly changed from October 2009 draft.

This memorandum reviews the fiscal impact and transportation elements again, and it notes the Committee's March 2010 recommendations. Most of the elements discussed in this memo are those about which there is some disagreement with the Final Draft expressed by the Department of Transportation (©1-6), public testimony, or Council staff. Some purely technical corrections will be made to the final document, but they are not identified in this memorandum.

*1. Fiscal impact.* The Executive's revised Fiscal Impact Statement (©7-12) displays four scenarios. As is usually the case, commercial development generates a large surplus for the County, while residential development produces a large net cost, since most County services are to residents (most particularly school costs). Scenario A, maximizing residential buildout and minimizing commercial buildout, would result in costs roughly equaling revenue. Scenario B assumes minimal residential and commercial buildout; it produces a positive cash flow of about \$280,000/year, since the much less cost associated with residential development would occur. Scenario C, maximizing both residential and commercial development would generate about \$830,000 annually. Finally, Scenario D, minimizing residential development and maximizing commercial development, would produce the best fiscal impact, at about \$1.1 million/year.

The costs on ©11 do not include debt service on capital improvements called for in the plan: the Summit Avenue and Lexington Street extensions and a full-service community recreation center, totaling \$47.4 million (©9). (Note that the \$47.4 million estimate does not include design or land acquisition, and that since no engineering work has been completed on these projects, their costs could vary +/- 50%.) However, the Summit Avenue extension would help address an existing congestion

problem which is not associated with Kensington development, and the recreation center would serve a much broader base than the new residential development proposed, so it is correct not to ascribe these costs in the fiscal impact. Furthermore, it is unclear whether the Lexington Street extension would be built by the County; it may be built by the Town of Kensington (it would be a Town street), or it may be built as a result of subdivision approval condition placed on new development there.

**2. Land use/transportation balance.** The analysis of master-planned land use/transportation balance is conducted using the same technique as is used under the policy area review test in the most recent Growth Policy. Therefore, a Policy Area Mobility Review (PAMR)-type analysis was conducted for this plan, calculating Relative Transit Mobility (RTM) and Relative Arterial Mobility (RAM) and comparing the result to the standard. The difference between the Growth Policy analysis and this sector plan analysis, however, is that RTM and RAM are not calculated at a point 6 years out, but at build-out (2030).

Since PAMR is conducted at the policy area level, the results are reported in terms of the wider Kensington/Wheaton Policy Area. Based on the highest scenario of development proposed in the Plan—as well the land use approved recently for the White Flint Sector Plan and the region’s cooperative land use forecast for 2030 elsewhere—Kensington/Wheaton’s RAM would be 42% (Level of Service ‘D’) and its RTM would be 85% (LOS ‘B’).

Local Area Transportation Review (LATR) was also conducted with the build-out land use and transportation network. The results (Appendix, p. 53) show that two intersections would fail the current LATR standard of 1600 Critical Lane Volume (CLV): Connecticut Avenue/Plyers Mill Road and Connecticut Avenue/Knowles Avenue. Both intersections can be brought very close to the 1600 CLV threshold by: (1) constructing the extension of Summit Avenue to Farragut Avenue, allowing traffic to enter Connecticut Avenue northbound at points other than Knowles Avenue and Plyers Mill Road; and (2) introducing dynamic lane assignment at the Connecticut/Plyers Mill intersection: allowing, for example, a left-through lane in one peak period to be an exclusive left turn lane in the other. The chart below shows the forecast CLV for each intersection today, in Year 2030 with no improvements, in Year 2030 with the Summit Avenue extension, and Year 2030 with both the Summit Avenue extension and dynamic lane assignment:

<b>Volume/Capacity (V/C) Ratio (Capacity=1600 CLV)</b>	<b>Connecticut/ Plyers Mill</b>	<b>Connecticut/ Knowles</b>
Today	1.14 (PM)	0.90 (AM)
2030 w/ no improvements	1.40 (PM)	1.10 (AM)
2030 w/ Summit Ave. Ext.	1.21 (PM)	1.04 (AM)
2030 w/ Summit Ave. Ext. + dynamic lane assignment	1.07 (PM)	1.04 (AM)

In other plans, intersections that are projected to operate this close to capacity are deemed to be sufficient for land use/transportation balance. This is because build-out land use is never realized, and because it does not take into account all potential improvements to transit operations, particularly the scope and frequency of bus service, as well as TDM measures. The State has long-term plans to greatly increase the scope and frequency of MARC service that could make a dent in congestion. Finally, the Bus Rapid Transit (BRT) Master Plan work underway is evaluating a potential BRT line that would run

in Connecticut Avenue from Aspen Hill, through Kensington, to Jones Bridge Road, and from there west to the Medical Center Metro Station.

**Prior PHED Committee recommendation (2-0-1): Councilmembers Knapp and Floreen found that the Plan is at land use/transportation balance at buildout; Councilmember Elrich abstained, wanting more information about what plans have been adopted with intersections planned to operate at greater than 1.00 CLV at buildout.** This has been a relatively common occurrence. Here are results from recent plans:

- For the Shady Grove Sector Plan (2004), the Planning Board's Draft (which was similar in total land use to what was ultimately approved by the Council) had two intersections operating worse than 1.00: Shady Grove Road/Midcounty Highway @ 1.18 and MD 355/Shady Grove Road @ 1.04.
- For the Germantown Employment Area Sector Plan (2009), the Planning Board's Draft (which was similar in total land use to what was ultimately approved by the Council) had six intersections operating worse than 1.00 (where the CLV standard is 1600).
- For the White Flint Sector Plan (2010), the Planning Board's Draft (which was similar in total land use to what was ultimately approved by the Council) had one intersection operating worse than 1.00 within the planning area: Rockville Pike @ Old Georgetown Road at 1.02. (With the Final Plan's assumed re-opening of Old Old Georgetown Road north to Montrose Parkway and Montrose Road, the final CLV probably will be lower than 1.00.) However, two intersections just beyond the planning area will exceed 1.00: Montrose Parkway/Tildenwood Lane @ 1.21 (CLV standard = 1600) and MD 355/Strathmore Avenue @ 1.03 (CLV standard = 1800).
- For the Great Seneca Science Corridor Master Plan (2010), there was one intersection projected to operate with a CLV higher than 1.00: West Gude Drive/Research Boulevard @ 1.03.

In the next section Council staff has a suggestion that may further improve the Connecticut Avenue/Plyers Mill Road intersection.

**3. *Summit Avenue extension.*** The Plan recommends extending Summit Avenue north of Plyers Mill Road as a 2-lane Business District Street in a 60' right-of-way. The October 2009 Draft recommended extending Summit Avenue either one block to Dupont Avenue or two blocks to Farragut Avenue. An extension would provide a wider bypass for traffic from the west (White Flint and Garrett Park via Knowles Avenue) or southwest (NIH and NNMC via Cedar Lane/Summit Avenue) to the north (via Connecticut Avenue) or east (via University Boulevard) to avoid the two problem intersections.

The extension would require several business relocations and, if extended to Farragut Avenue, would also necessitate relocating the Town's Public Works Department depot and the parking of still more businesses. The Council received testimony from Stanley Abrams, representing William Calomiris Company, Incorporated, in favor of extending Summit Avenue only to Dupont Avenue, citing the lower cost, less disruption to businesses, and difficult topography between Dupont and Farragut Avenues (©13). Although not mentioned in its written comments, DOT staff prefers extending Summit Avenue to Farragut Avenue because they believe a full-movement signalized intersection on Connecticut at Dupont would be too close to the signalized intersection at Plyers Mill. The Coalition of Kensington Communities testified that Summit Avenue be extended to Farragut Avenue, noting: "This enhancement is critical to address the traffic gridlock that area currently experiences" (©14).

**Prior PHED Committee recommendation (3-0): Extend Summit Avenue to Farragut Avenue.** The longer extension would allow a safer—and one-block longer—bypass, and would still provide better access for properties on Dupont, since it would intersect with the new Summit extension as well. As DOT staff noted, extending Summit Avenue only to Dupont would require a signalized intersection at Connecticut Avenue and Dupont, but it would be much too close to the existing signalized intersection at Connecticut/Plyers Mill to allow for a signal.

The June 2011 Draft has conflicting recommendations. Both the connectivity recommendations on page 9 and the Master Plan of Highways table (Table 3) on page 37 propose extending Summit Avenue north to Farragut Avenue. However, Map 15 on page 36 implies that both Dupont and Farragut are options, and the seventh bullet point on page 19 states that a study “should determine the most appropriate connection for an extended Summit Avenue to Connecticut Avenue ...”. The latter references should be deleted or amended to be consistent with an extension to Farragut Avenue.

**Furthermore, the prior PHED Committee recommended (3-0) that the Plan state that, as part of project planning for the Connecticut/University/Farragut intersection, the State Highway Administration and DOT should explore diverting left-turning traffic from southbound Connecticut Avenue to eastbound Plyers Mill Road (and Metropolitan Avenue) away from that intersection and onto Concord Street, a one-block Business District Street east of Connecticut Avenue.** According to the CLV analysis performed by Planning staff, if this southbound-to-eastbound movement were relocated away from the Connecticut/Plyers Mill intersection, it would function very well in the evening peak, when it currently breaks down. Concord Street is sufficiently wide to carry this traffic, and only businesses front it. Vehicular traffic would not seep into the neighborhood just to the east, as the Town has already blocked off access.

**4. Lexington Street extension.** A triangular super-block in eastern Kensington is bounded by Metropolitan Avenue, Plyers Mill Road, and Saint Paul Street. The Plan calls for improving circulation in the area by extending Lexington Street as a Business District Street through the middle of it, thus breaking up this super-block. Initially it was to be part of a one-way pair with Metropolitan Avenue—with Lexington 1-lane (plus parking) northbound and Metropolitan operating only southbound. The Planning Board subsequently rejected the one-way concept for Metropolitan Avenue, but the roadway table still shows it having just the 1 northbound travel lane for the Lexington Street extension.

**Prior PHED Committee recommendation (3-0): Show 2 travel lanes for Lexington Street extension on page 37, and delete the associated footnote.** The purpose of the Lexington Avenue extension is to provide access to the middle of this super-block; the access should be provided from both directions to avoid drivers from taking circuitous path to its destination. For example, traffic wishing to access the super-block from the east on Plyers Mill Road would have to turn left at St. Paul Street (a residential street), turn right onto Metropolitan Avenue, and then turn right again on the Lexington street extension.

Kensington Council Member Lydia Sullivan raised concern in her testimony that this extension could direct through traffic from Metropolitan Avenue onto the portion of Lexington Street between Plyers Mill Road and University Boulevard—a local residential street in this segment, and then further north onto Newport Mill Road—a Primary Residential Street (©15).

Lexington Street is controlled by the Town of Kensington; the Town would be free to exercise any traffic controls it wishes to restrict or prohibit potential through traffic, either by regulatory signage and/or with physical diverters. The Sector Plan does not designate this portion of Lexington Street as appropriate for through traffic, so such restrictions or prohibitions would be consistent with the Plan. If desired, the Council could also add language stating:

**The purpose of Lexington Street between Plyers Mill Road and University Boulevard is to serve the residential neighborhood through which it passes. If significant through traffic were to materialize, steps to restrict or prohibit such traffic would be appropriate and consistent with this Sector Plan.**

**5. General prohibition on widening roadway intersections.** The fourth bullet on page 9 is this recommendation: "Refrain from widening roadway intersections to accommodate through-vehicle traffic." DOT objects to this recommendation, pointing out that such improvements may be needed to achieve land use/transportation balance. Also, any intersection involving arterial roads is going to carry locally generated traffic as well as through traffic; any widening of such of an intersection would accommodate both, not just through-traffic.

*Council staff concurs with DOT: this recommendation should be deleted.*

**6. Road rights-of-way.** The Planning Board recommends reducing the planned right-of-way from 80' to 70' for Plyers Mill Road between Summit and Connecticut Avenues (B-1), for Concord Street between Plyers Mill Road and University Boulevard (B-8), and Dupont Avenue between Connecticut Avenue and Nash Place (B-9), and from 80' to 60' for Howard Avenue between Connecticut and Knowles Avenues (B-6). DOT recommends retaining the right-of-way widths. *Council staff recommendation: Concur with the Planning Board.* The somewhat narrower rights-of-way are sufficient to provide the necessary lanes, parking, and streetscaping.

**Prior PHED Committee recommendation (3-0): Concur with DOT.** The rights-of-way will need to be wider for all the streetscape elements.

**7. Bikeways.** The Plan identifies a number of routes as bikeways, mostly as signed shared roadways (formerly known as Class III bikeways or Bike Routes), which are roads which are wide enough so that a motor vehicle and bicyclists can maneuver next to each other safely. The map of proposed bikeways is on page 33 and the bikeway table is on pp. 34-35.

The Sector Plan calls for two connecting north-south signed shared roadways: LB-6 along St. Paul Street from University Boulevard to Metropolitan Avenue and then across the CSX tracks at the MARC station to Howard Avenue; and SR-29 running along Montgomery Avenue and Kensington Parkway to the southern boundary of the planning area. This has caused some confusion in the community because, if LB-6 were a signed shared roadway crossing the tracks, this suggests that there would be a road crossing there, too (©15). But no new road crossing is called for in the Plan. *Council staff recommends re-designating the segment of LB-6 between Metropolitan and Howard Avenues as a shared use path.*

The planned bikeway map on page 33 shows planned bike lanes on Connecticut Avenue from the southern Plan boundary to University Boulevard, and continuing on University Boulevard to the

Plan's northeast boundary. However, the Bikeways Table (Table 2) on pp. 34-35 does not include these bike lanes, nor does the Countywide Bikeways Functional Master Plan (2005). Montgomery Bikeway Advocates (MBA) deems this proposal unrealistic and infeasible, noting that there are better alternative routes suggested in the Plan (©16). *Council staff concurs: the reference to bike lanes on Connecticut Avenue and University Boulevard should be deleted from the map on page 33.* Furthermore, bike lanes would add a further cross-section requirement to Connecticut Avenue, making it more difficult to squeeze in a Bus Rapid Transit line.

DOT and MBA recommend several additional routes (©16-17). **Prior PHED Committee recommendation (3-0):**

- **Extend LB (Local Bikeway)-2 as a signed shared roadway on Farragut Avenue between Connecticut Avenue and Saint Paul Street.**
- **Extend LB-4 as a signed shared roadway west on Calvert Place to Washington Street, then west on Washington Street across its protected crossing at Connecticut Avenue, then west to Prospect Street, then west to Summit Avenue.**
- **Add a local bikeway as a signed shared roadway on Howard Avenue between Summit and Connecticut Avenues.** MBA recommends extending this signed shared roadway to Howard Avenue's western terminus (Knowles Avenue). *Council staff concurs.*

MBA also recommends designating a shared use path on Metropolitan Avenue not just from the Plan's eastern boundary to Saint Paul Street, but continuing to Plyers Mill Road. Within the last decade the State Highway Administration rebuilt Metropolitan Avenue to a narrow cross-section, with two 12' travel lanes, curb-and-gutter, and brick sidewalks abutting the curbs. Therefore, for the roadway to be widened enough to accommodate a signed shared roadway—to 14.5'-wide lanes—the entire roadway would have to be rebuilt. However, if the roadway would have to be re-built in the southeast segment where the Plan already recommends a signed shared roadway, then the same should apply to the northwest segment. **Prior PHED Committee recommendation (3-0): Concur with Montgomery Bicycle Advocates.** This comes with the caveat, however, that such an improvement would be in the distant future.

**8. DOT comments.** In addition to commenting on some of the issues above, DOT has transmitted a host of technical comments. *Council staff believes all these matters are relatively minor and can be worked out among the staffs in time for the final resolution.*

**Montgomery County Department of Transportation Comments on  
Kensington and Vicinity Sector Plan – Remanded Planning Board (Final) Draft  
(MNCPPC, June 2011)**

**August 3, 2011**

The Montgomery County Department of Transportation (MCDOT) has the following concerns and comments regarding the subject draft plan.

General Concerns

1. Kensington is located midway between White Flint and the Wheaton CBD, two other areas currently undergoing plan amendments. East-west travel between these three areas will increase and the plan draft acknowledges that Kensington is already a bottleneck between the other two but it does not recommend any comprehensive solutions supported by transportation analysis. Intersections along the two major arterials in the plan area (MD 185 and MD 193) should be reviewed for existing and future (build-out) conditions in terms of a Critical Lane Volume analysis. If failing levels of service are indicated, some form of remedy consistent with land use/transportation balance should be proposed. It is unacceptable to state, “Refrain from widening intersections to accommodate through vehicle traffic” (p. 9).
2. More emphasis needs to be given to the MARC station within the planning area. The station has played a major role in the development of Kensington and the plan should recognize this role and project how the commuter service can be used to help accomplish the plan vision. There is no discussion as to how the presence of the station, and commuter train service, can leverage development and aid in achieving transit modal shares. There also needs to be an analysis of how much commuter parking is existing (the station currently has 125 – 150 daily boardings) and how much additional parking might be needed to support higher ridership.
3. The extension of Summit Avenue via Farragut Avenue is clearly called for on page 9 which correctly reflects MCDOT, Council staff and PHED committee positions on this issue. However, on page 19 the text in the seventh bullet seems to indicate continued uncertainty about this alignment, and on page 36 Map 15 still shows two alternate alignments. All text and mapping needs to consistently show a single alignment of this extension via Farragut Avenue.
4. The extension of Summit Avenue is shown as going through (taking) the current Town public works facility. This plan must propose an alternative site for the relocation of this facility and must include text that the Town will relocate this facility at its own cost and in advance of the implementation of the road.

5. Bikeway M-M' (as shown in the Kensington Wheaton Master Plan) is not shown on this plan draft; either show it on the map on p. 38 and add it to the bikeway table, or add text formally deleting it so there is no confusion as to its status.
6. A discussion of the jobs to housing ratio is missing from this plan and needs to be addressed so that there is a clear understanding of how this sector will compare with the countywide ratio of 1.6 to 1.
7. The historic preservation sections are insufficient and incomplete. First, since the Kensington Cabin historic resource has been designated by Council, this Plan needs to make clear whether, the Cabin will be an individual resource outside and immediately contiguous to the Kensington Historic District, or a contributing resource within the Historic District. Second, since this is a comprehensive amendment, a full historic preservation analysis of each candidate site or district needs to be done as part of this plan update, including a determination as to whether the site or district should be added to the *Master Plan for Historic Preservation*, retained on the Locational Atlas, or deleted from the Locational Atlas. It is insufficient to simply identify potential candidates for future evaluation.
8. It is unclear to MCDOT whether this Plan should be evaluated solely subject to the provisions of Article 66B of the Maryland Code (since it is a plan predominantly for a municipality) or subject to the provisions of Article 66B and Article 28 (since the plan includes a minor amount of unincorporated Montgomery County territory as well). The Plan needs to contain a better description of the legal roles of the Park and Planning Commission, the Town of Kensington Council, and the Montgomery County Council for the approval and adoption process of the plan and zoning authority during implementation. The explanation provided on page 29 under "Regulatory Review is incomplete and appears to end in mid-sentence.
9. The Draft does not contain some elements of a comprehensive plan required under State law. An example is that Maryland Code Article 66B, Section 1.04(b)(1)(iii) requires as part of the water resources element that it "Identifies drinking water and other water resources that will be adequate for the needs of existing and future development proposed in the land use element of the plan, considering available data provided by the Department of the Environment." However, the Kensington Plan neither identifies the source and provider of drinking water for the land uses in the Plan nor does it comment on the adequacy of those sources for the ultimate consumption of water at the build out levels envisioned in the Plan. Similarly, there is not a sensitive areas element as such. Perhaps no sensitive areas exist within the planning area; if this is so, it should be proactively stated. On the other hand, if any sensitive areas exist, a separate section of the plan with that title should be included.



10. The Draft does not contain certain “Visions” required under State law. Although it may be possible that all of the visions enumerated in Section 66B of State Law can be construed from the overall text of the plan, nevertheless, it makes more sense to simply enumerate the required visions in the Vision section of the Plan to easily demonstrate the Town’s compliance with the wording in State Law that “Each local jurisdiction shall . . . include in its plan . . . all of the visions set forth in Section 1.01 of this article.”

#### Specific Comments

- contents      many pages are incorrectly numbered, plus the “diversity” subsection (page 17) is completely omitted under **area wide recommendations**
- p. 1      under “Vision”, the plan should not be recommending additional areas and sites for historic preservation evaluation; as a comprehensive amendment it should include complete evaluations and determinations for all candidate sites or districts within the body of this plan
- p. 3      the first paragraph states that “The east-west crossing requires many travelers to use Connecticut Avenue . . .”. This is incorrect since travelers may use Summit Avenue instead.
- the third paragraph states that “. . . the track crossing is inconvenient and inhospitable”; this is incorrect since the track crossing is not a pedestrian connection; it is only for use by MARC passengers within the station area
- the fourth paragraph incorrectly states “. . . businesses and [sic] well as plumbers, . . .”, “and” should be deleted and replaced with “as”
- p. 4      clarify that this is the local, not National Register, historic district in the figure title and legend
- show the Kensington Cabin location and clarify whether it is an individual site just outside, but contiguous to the Historic District, or that it is a contributing resource within the Historic District
- show all proposed streets
- p. 6      in the second paragraph, clarify that the local Historic District has different boundaries than the National Register Historic District
- p. 9      in the third bullet the recommendation to decrease pavement widths using the new context sensitive design standards is misleading (because most of these streets already exist and reduction is not operationally feasible – unless a large redevelopment opportunity with significant site frontage presents itself in the future); it is applicable only to new road extensions (such as Summit Avenue between Plyers Mill & Connecticut)
- the fourth bullet appears to contradict the third paragraph on p.8 (“ . . . As redevelopment occurs, projects will be required to mitigate the increase in traffic congestion directly attributable to them, following the Growth Policy in effect at the time of development.”)

- revise the seventh bullet by adding “at appropriate locations” after “pedestrian crosswalks”
- p. 10 this figure needs a legend to explain what the different colors mean
- delete the color coding of those areas that are outside of the Town Center (i.e., are in the Craft/Services, Connecticut/University Boulevard, and Metropolitan Avenue districts)
- p. 12 this Historic Preservation section needs to be completely rewritten to include evaluations of all candidate historic sites and districts and determinations as to whether they should be designated as historic or not as befits a comprehensive amendment
- clarify whether the Kensington Cabin is an individual site just outside, but contiguous to the Historic District, or that it is a contributing resource within the Historic District
- p. 14 the second bullet under Stormwater Management is proposing a section that is not in the County’s design standards and is therefore invalid in the unincorporated areas of the plan
- the third bullet under Stormwater Management is proposing permeable paving for roads which is not currently permitted by the County and is therefore invalid in the unincorporated areas of the plan
- p. 15 change all references from Lexington Avenue to Lexington Street
- delete “County” from the third (Plyers Mill Road) line in the Table; this is a Town street not operated by the County
- p. 19 the third bullet at the top of the page is proposing a median design that is not in the County’s design standards and is therefore invalid in the unincorporated areas of the plan
- clarify in the “Goal” section the meaning of “continuous active pedestrian street” so that there is no confusion that it is a Business District Street open to vehicular travel
- p. 21 show all proposed streets
- p. 22 it sounds like the first bullet is suggesting the need for an enclosed storm drain system, in addition to stormwater management measures; this should be clarified. Also, the comment about permeable pavement should be stricken – at this time MCDOT is only allowing porous pavement on residential sidewalks
- p. 23 the first bullet under Silver Creek needs correction.
- the last sentence of the first paragraph under Metropolitan Avenue Area is incorrect and needs to be deleted.

- p. 24 the Konterra paragraph is misplaced within the Plan; it should be part of the Craft/Services District, not the Metropolitan Avenue Area, to be consistent with the mapping
- the first paragraph under Connecticut Avenue/University Boulevard Area is incorrect; for instance the mapping shows that the area is not "bounded" the University boulevard but rather "bisected" by it
- p. 25 Ken-Gar should be evaluated as a historic site or district as part of this plan, and a determination made as to whether to designate it or not
- p. 29 show all proposed streets
- p. 31 show all proposed streets
- p. 32 show all proposed streets
- p. 33 show all proposed streets
- "LB-5" is inconsistent with the table on p. 35
  - "SR-17" is inconsistent with the Countywide Bikeways Functional Master Plan, which shows it going via Dupont and Nash
  - "LB-2" should be continued easterly to "LB-6" and should only be shown on alignment A with no asterisk
  - "LB-4" should be continued westerly to "SR-54" via Calvert Place and Prospect Street
  - add a bikeway on Howard Avenue from Summit Avenue to Connecticut Avenue
- p. 34 an additional separate bridge for pedestrians and bicyclists is recommended over the CSX along the west side of Connecticut Avenue as part of Bikeway SR-17
- to what facility and/or road do the comments between SR-29 and SR-54 apply?
- p. 35 Table 2 is incomplete; bikeways LB-7 and LB-8 are shown on Map 14 but are missing from this Table
- an additional segment of "LB-1" is recommended from Knowles Avenue to Howard Avenue
  - "LB-5" is inconsistent with the figure on p. 34
  - Bikeway M-M' (as shown in the Kensington Wheaton Master Plan) is not shown on this plan draft; either show it on the map on p. 34 and add it to this table, or add some text formally deleting it so there is no future confusion as to its status
  - "LB-2" should extend to St. Paul Street rather than Connecticut Avenue
  - "LB-4" should extend to Summit Avenue rather than Kensington Parkway
  - add a bikeway on Howard Av. from Summit Av. to Connecticut Av.
  - the description for "LB-6" should include the connection under the CSX

- p. 36            only show alignment A for B-3
- p. 37            all of Arterial A-62 should have a R-O-W of 100' to be consistent with the previous plan
- Arterial A-67 should have 4 travel lanes to be consistent with the previous plan
  - additional right-of-way is recommended for MD 185 so it can accommodate Proposed Bikeways LB-1, LB-7 and SR-17
  - B-1 should have a R-O-W of 80' to be consistent with the previous plan
  - B-4 should only go to the Plan Boundary (not to Capitol View Ave) to be internally consistent
  - B-5 should be named Lexington Street (not Ave) extension; also the one travel lane is internally inconsistent with the on road bikeway
  - B-6 should have a R-O-W of 80' to be consistent with the previous plan
  - B-7 should have a R-O-W of 70'
  - B-8 should have a R-O-W of 80' to be consistent with the previous plan
  - B-9 should have a R-O-W of 80' to be consistent with the previous plan
  - B-10 should have a R-O-W of 70'
  - Primary Residential Street P-2 needs proper and accurate Limits
  - Primary Residential Street P-4 needs proper and accurate Limits
  - the second bullet under "Notes" should state Lexington Street (not Avenue) extension
  - the third bullet under "Notes" is inconsistent with the historic district boundary shown in the figure on p. 4
  - it would be helpful to document the existing right-of-way widths in table
  - the recommended design standards for the State roads should be deleted; County design standards do not apply on State roads
  - Recommended "as built" standards should reference the closest existing MCDOT design standard (most likely from our old book of standards)
  - The target speed for A-67 (Summit Ave between Cedar Lane & Knowles Ave) should be raised to 30 mph to match the current posted speed limit
  - On the business district streets, the document should indicate standard MC-214.02 (60' R/W with 2 travel lanes & 1 parking lane) or standard MC-214.03 (70' R/W with 2 travel lanes & 2 parking lanes) for existing roads. Std #MC-2005.01 is acceptable as recommended – since that applies to the proposed extension of Summit Ave.
  - The standards recommended for roads P-1 and P-4 do not exist in the old book of design standards nor in the CSRDS table; the #s should be corrected



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett  
County Executive

Jennifer A. Hughes  
Director

MEMORANDUM

August 15, 2011

TO: Diane Schwartz-Jones, Assistant Chief Administrative Officer  
FROM: Jennifer A. Hughes, Director  
SUBJECT: Fiscal Impact Analysis for the Kensington and Vicinity Sector Plan

W11 AUG 17 \* 359

Attached are the cost estimates and fiscal impact analysis associated with the Planning Board's draft *Kensington Sector Plan* dated June 2011. This information replaces the December 2009 Fiscal Impact Analysis.

The cost information was provided by the Departments of Transportation, General Services, Recreation, Police, Fire and Rescue Services, and Libraries. Please note that capital project cost estimates are high-level, order-of-magnitude estimates. Final estimates for capital projects would not be available until completion of design development.

The Departments of Housing and Community Affairs, Health and Human Services, Environmental Protection, Permitting Services, Economic Development, and the Mid-County Regional Services Center report no fiscal impact.

The Department of Finance prepared the attached scenarios to show the range of development possibilities that could follow from the enactment of the Kensington Sector Plan. The scenarios are based on the County's Economic Development Fund Fiscal Impact Model, and represent a broad-brush look at the higher level revenues and expenditures, rather than being all-inclusive.

If you have any questions, please contact Amy Wilson, Office of Management and Budget, at 240-777-2775 or Mike Coveyou, Department of Finance, at 240-777-8878.

JAH:aw

Attachment

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Office of the Director

101 Monroe Street, 14th Floor • Rockville, Maryland 20850 • 240-777-2800  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

Diane Schwartz-Jones, Assistant Chief Administrative Officer  
August 15, 2011  
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David Dise, Director, Department of General Services  
Joseph F. Beach, Director, Department of Finance  
Rick Nelson, Director, Department of Housing and Community Affairs  
Hadi Mansouri, Acting Director, Department of Permitting Services  
Ana Lopez van Balen, Director, Mid-County Regional Services Center  
Uma S. Ahluwalia, Director, Department of Health and Human Services  
Steve Silverman, Director, Economic Development  
Robert Hoyt, Director, Department of Environmental Protection  
Richard Bowers, Chief, Fire and Rescue Services  
Thomas Manger, Chief, Department of Police  
Parker Hamilton, Director, Department of Public Libraries  
Mike Coveyou, Department of Finance  
Amy Wilson, Office of Management and Budget  
Rob Kline, Department of General Services

**County Capital and Operating Cost Estimates  
Assumed to be Incurred as a Result of the  
Kensington and Vicinity Sector Plan  
August 2011**

<b>Capital Improvement Projects</b>		
<b>Project</b>	<b>Description</b>	<b>Cost Estimate</b>
<b>Business District Streets</b>		
Summit Avenue Extension	Plyers Mill Rd. to Farragut Ave. (to Connecticut Ave.)	\$10,000,000
Lexington Street Extension	Metropolitan Ave. to Plyers Mill Rd.	\$6,000,000
<b>Public Facilities</b>		
Full Service Community Recreation Center	Utilizing the complete program of requirements (33,000 nsf, 4 athletic fields, playcourt, playground, 190 car parking)	\$31,400,000
<b>Subtotal – Capital Improvement Projects</b>		<b>\$47,400,000</b>
<b>Operating Budget Impacts</b>		
Additional staffing and operating expenses for new Recreation Center	First year cost estimate includes: personnel (\$176,210, 3.9WYs); operating (\$218,390); and one-time costs (\$43,400)	\$438,000
Additional police officers, assigned to the 2 <sup>nd</sup> District, needed to ensure public safety as a result of increased number of residents, workers and visitors.	First year cost estimate includes: personnel (\$855,030, 11WYs); operating (\$146,190); and one-time costs (\$659,890)	\$1,661,110
Additional staffing and operating expenses for Kensington Volunteer Fire Department Station #5. Engine upgraded from a 3-person minimum staffed unit to a 4-person unit to provide more effective suppression services and advanced life support (ALS) first-responder unit to address an anticipated increase in ALS incidents.	First year cost estimate includes: personnel (\$380,000, 4.5WYs); and one-time operating costs for recruit class training, turnout gear, and uniforms (\$100,000)	\$480,000
<b>Subtotal – Operating Budget Impacts</b>		<b>2,579,110</b>
<b>Total Cost Estimate</b>		<b>49,979,110</b>

Notes and assumptions:

Business District Streets:

- Cost estimates were prepared using master plan level of information, no engineering has been done.
- Costs represent 2009 dollars with a +/- 50% level of accuracy.

- Since Kensington is a separate municipality with its own public works capability, there is uncertainty as to who would construct and who would fund the proposed improvements (State, County or Town).

#### Police

- Police presented four costs estimate scenarios based on the projected increase in residents and workers. Cost estimates ranged from \$604,040 for 4WYs to 1,661,110 for 11WYs. Estimates are based on 1.2 officers per 1,000 residents.

#### Fire and Rescue Services:

- MCFRS will evaluate additional resource needs as development/redevelopment occurs and population increases in Kensington.

#### Stormwater Management:

- Kensington accepted the storm drain system from WSSC in the 1960s and has not been paying the storm drain property tax. Kensington is responsible for repair or replacement of the culvert under Oberon Street.
- Kensington residents pay the Water Quality Protection Charge (WQPC). Therefore, projects in Kensington can be funded out of the Water Quality Protection Fund (WQPF) and would be prioritized along with other needs Countywide and implemented based on the priority list.

#### Libraries:

- The White Flint Sector Plan calls for a public transportation oriented Express Library to be built in the vicinity of the Metro station with the understanding that residents needing a "full service" library would use the Kensington Park or Rockville Libraries. In the event there is an increase in use at Kensington Park, the future renovation of the Kensington Park Library might require expansion of the building and parking.



**Fiscal Impact Analysis for the Kensington Sector Plan**  
**Summary of Fiscal Impact Scenarios**

Scenarios			
A	B	C	D
Residential FAR Maximal Commercial FAR Minimal	Minimal FAR Residential and Commercial	Maximal FAR Residential and Commercial	Residential FAR Minimal Commercial FAR Maximal

**THE NEW DEVELOPMENT**

1	Estimated New Commercial FAR Assessed Value	\$41,755,000	\$41,755,000	\$124,650,500	\$124,650,500
2	Estimated Value of Personal Property	\$4,175,500	\$4,175,500	\$12,465,050	\$12,465,050
3	Real Property Tax rate at location	\$0.91	\$0.91	\$0.91	\$0.91
4	Personal Property Tax rate at location	\$2.28	\$2.28	\$2.28	\$2.28
5	Number of Jobs in New Commercial Space	2,088	2,088	6,233	6,233
6	Average Salary per New Job	\$72,012	\$72,012	\$72,012	\$72,012
7	Income Tax per new job	\$1,728	\$1,728	\$1,728	\$1,728
8	Estimated New Residential FAR Assessed Value	\$227,300,909	\$75,800,000	\$227,300,909	\$75,800,000
9	Real Property Tax Rate	\$0.91	\$0.91	\$0.91	\$0.91

**DEMOGRAPHICS**

10	Net new households	1,137	379	1,137	379
11	New Population	2,888	963	2,888	963
12	Additional Schoolchildren	171	57	171	57
13	Additional College Students	23	8	23	8
14	Number of new jobs	2,088	2,088	6,233	6,233
15	% of Jobs County Residents	60%	60%	60%	60%
16	Net new jobs are County residents	1,253	1,253	3,740	3,740

**REVENUES**

Property Tax Revenues					
17	From New Commercial Development	\$476,466	\$476,466	\$1,422,387	\$1,422,387
18	From New Residential Development	\$2,075,257	\$692,054	\$2,075,257	\$692,054
19	Income Tax Revenues (from New Residential Development)	\$2,596,055	\$865,352	\$2,596,055	\$865,352
20	Energy & Telephone Taxes	\$727,671	\$396,733	\$1,186,795	\$855,857
21	Other Job Related Revenues	\$146,727	\$104,387	\$311,935	\$269,595
22	Other Population Related Revenues	\$665,265	\$221,755	\$665,265	\$221,755
23	<b>Total County Revenues</b>	<b>\$6,687,442</b>	<b>\$2,756,746</b>	<b>\$8,257,694</b>	<b>\$4,326,999</b>

**COSTS OF COUNTY SERVICE**

24	Population related costs	\$2,762,270	\$920,757	\$2,762,270	\$920,757
25	Job related costs	\$1,277,936	\$673,808	\$2,015,955	\$1,411,827
26	Schoolchildren costs	\$2,452,131	\$817,377	\$2,452,131	\$817,377
27	College student costs	\$198,551	\$66,184	\$198,551	\$66,184
28	<b>Total County Service Costs</b>	<b>\$6,690,887</b>	<b>\$2,478,125</b>	<b>\$7,428,905</b>	<b>\$3,216,144</b>

**TOTAL FISCAL IMPACT**

29	<b>(Revenues Less Costs)</b>	<b>(\$3,445)</b>	<b>\$278,621</b>	<b>\$828,789</b>	<b>\$1,110,855</b>
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The four fiscal impact scenarios attempt to show the range of development possibilities that could follow from the enactment of the Kensington and Vicinity Master Plan. They are based on the County's Economic Development Fund Fiscal Impact Model, and represent a broad-brush look at the higher level revenues and expenditures, rather than being all-inclusive. The figures do not include additional CIP expenditures, which are reported separately. These scenarios represent the relative extremes of the fiscal impact spectrum, based on there being at least some minimal amount of new development.

#### Assumptions

1. New Commercial Development based on data from Planning staff.
2. Assessed value of new commercial development is based on \$100 per square foot of valuation.
3. New residential development based on data from Planning staff.
4. Assessed value of new residential development is based on \$200,000 per unit valuation.
  - because the Planning Board Draft notes that most of the new units will be in multi-family housing.
  - current countywide average for condominium units is nearly \$250,000 (these typically have higher assessed value than non-condo multifamily housing)
5. Revenues and Service Costs are based on FY10 Approved Budget figures calculated on a unit of population basis.

Public Hearing Testimony  
of  
Stanley D. Abrams, Attorney for  
William Calomiris Co., Inc.

Good Evening President Floreen and Members of the County Council:

I am Stan Abrams of the law firm Abrams & West, P.C., attorney for William Calomiris Co., Inc. who are involved in the ownership of properties located in the northwest quadrant of Connecticut Avenue and Dupont Avenue in Kensington, Maryland. The properties are improved with Savannah's Restaurant and Parking area fronting on Connecticut Avenue and the Mr. Wash Car Wash and Jiffy Lube operation fronting on Dupont Avenue. These are key properties in any future redevelopment of the Kensington CBD.

These properties are recommended to be rezoned to the new CR Zone, but due to the status of that Zone we are unprepared to provide any meaningful comments on the proposed zoning of the property.

We are however prepared to address another recommendation in the proposed sector plan. The sector plan proposes the extension of Summit Avenue with two alternatives proposed. One extending Summit Avenue to Dupont Avenue and the second alternative extends Summit Avenue, a somewhat greater distance to Farragut Street.

My clients support the extension of Summit Avenue to Dupont Avenue. Dupont Avenue is further from the congested intersection of Connecticut Avenue and University Boulevard and would promote less potential congestion and relieve some of the pressure on that intersection. The shorter extension of Summit Avenue to Dupont Avenue would disrupt fewer existing property owners and be less costly in property acquisition and road construction costs. We also believe this route would be more feasible due to topographic elevational considerations on Farragut Street.

This extension would further encourage redevelopment of my clients properties by providing superior access on Dupont Avenue which is currently populated by automobile repair and service establishments.

For reasons expressed tonight, we request that you designate the extension of Summit Avenue to Dupont Avenue as opposed to Farragut Street in the amendments to the Kensington Sector Plan.

Thank you,

Stanley D. Abrams, Esq.  
Abrams & West, P.C.  
4550 Montgomery Avenue, #760N  
Bethesda, MD 20814  
(301) 951-1540



# Coalition of Kensington Communities

A Unified Body of Civic Associations  
Founded To Enhance the Quality of Life in the Kensington Area

**MEMBER ASSOCIATIONS**  
(NUMBER OF HOMES)

- CAPITOL VIEW PARK (330)
- GARRETT PARK CITIZENS ASSOCIATION (325)
- KENGAR (110)
- KENSINGTON ESTATES (425)
- KENSINGTON HEIGHTS (711)
- KENSINGTON VIEW (125)
- PARKWOOD (925)
- ROCK CREEK HILLS (660)
- ROCK CREEK PALISADES (1,700)

## Comments to the County Council re: Kensington Sector Plan Public hearing on October 11, 2011

Good evening. My name is Donna Savage, I live in Kensington Heights, and I am testifying on behalf of the Coalition of Kensington Communities. The CKC is a unified body of area civic associations with the goal of enhancing the quality of life in the Kensington area. Toward this end, the CKC works with local governments to address issues of design, recreation, transportation, pedestrian accessibility, and economic growth affecting greater Kensington. Currently, the CKC membership includes 9 civic associations, representing 5,354 single-family households.

The Coalition of Kensington Communities is pleased to comment on the proposed changes to the Kensington Sector Plan. These comments refer only to the proposed changes from the June 2011 Park & Planning document.

- We do not support incentive density for proximity to the MARC train station. Incentive density is not appropriate for this location as it is not a Metro rail site. The MARC train has severely limited ability to serve the surrounding area and therefore is not appropriate for this provision.
- We do not support the newly proposed CRN and CRT designations as mapped in the Kensington Sector Plan. The CR zone amendment passed by the Council, ZTA 11-01, will impact the Kensington plan. These changes to the CR zone have been extremely difficult to monitor from a community standpoint and they are not necessarily compatible with adjacent or confronting residential properties. The changes to the Kensington Sector Plan as a result of the CR zone amendment are very unclear to the community, and subsequent Council changes to these zones would modify the rules for Kensington without community input.
- We support the new recommendation to extend Summit Avenue as a business district street with a 60-foot right-of-way and 2 travel lanes from Plyers Mill Road to Connecticut Avenue via Farragut Avenue. This enhancement is critical to address the traffic gridlock that area currently experiences.
- We support a State Highway Administration, DOT, and Town of Kensington joint study for pedestrian and vehicle circulation north of the CSX right-of-way to determine a connection point for an extended Summit Avenue to Connecticut Avenue. Because Kensington is already experiencing significant challenges for both pedestrian and traffic movement, additional connections are key to a successful sector plan.
- We support a pedestrian path on the Housing Opportunities Commission property to connect Summit and Detrick avenues.
- Parking for mixed-use projects remains a concern. This issue must be addressed in the Sector Plan to retain and grow the vitality of Kensington.

Thank you for the time you have put into the Kensington Sector Plan to date, and for allowing us to voice our opinions.

Many CRN/CRT zoned properties in Kensington will not go to site plan at all because of ~~the site plan thresholds~~ and site plan thresholds. Thank you to the Council for today's vote to limit the site plan threshold to 10,000 square feet by removing the words, "more than."

And CR zones have no protection for *confronting* residential, even across narrow residential streets such as Warner, Detrick and Lexington. And most of the square footage in Kensington will be built with no public benefits whatever, because of standard method and MARC "transit proximity."

#### 10400: A case study in bad zoning from the 1960s

The 10400 building is at the corner of Connecticut and Knowles. I spent many hours in the microfiche at Park & Planning. I discovered that the 1950s and 1960s were a bad time for zoning in Montgomery County. In 1959, despite the master plan calling for residential at 10400 Connecticut Avenue, your predecessors approved a Local Map Amendment rezoning the property from single-family to C-O zone. (It was denied in 1957. Two years later they tried again, and against staff recommendations it was approved. Interestingly, people who opposed this rezoning in 1959 were accused in news accounts of "spreading misinformation" by the Kensington Business Association.) They also got a 100 percent variance on side and rear setbacks, so that 10400 immediately abuts the residential neighbor's driveway and is within 35-40 feet of the Victorian home across the narrow street.

The 10400 rezoning was a **mistake**. It sparked what the *Washington Post* called a "voter revolt" in Kensington in 1960, when voters overwhelmingly rejected the town council and changed the town charter through referendum, so this couldn't happen again. Because of this one rezoning, over the next ten years, one by one the block was changed to commercial by Local Map Amendments, each claiming a "change in the neighborhood." This ancient history is relevant today for two reasons: 1. Again and again, County planners have used this building's height as a reason 75 feet is not too high for Kensington, and 2. The Sector Plan is doing this again on many blocks in Kensington, creating "a change the neighborhood" at edges of most of the Plan area using encroaching CRN and CRT zone placement. [Whether or not master plans protect from actual rezoning through LMA is unclear, but the neighborhood is changed, which could affect the next layer of residential.]

#### Traffic

And the Plan recommends two connections that could route traffic through Residential Primary-designated streets. The Lexington Street extension, and the New/Proposed Connection through the CSX tracks at St. Paul Street on a "signed, shared roadway," could route cut-through traffic from Kensington Parkway and Metropolitan to University Boulevard at the northern terminus. This goes against the Housing Element of the General Plan, adopted by this Council in March of this year, which states, in part, [Policy 2.7] "Protect residential neighborhoods from excessive traffic..."

# Montgomery Bicycle Advocates

## Montgomery County, Maryland

October 11, 2011

Montgomery County Council  
100 Maryland Ave.  
Rockville, MD 20817

To the County Council,

The Kensington Sector Plan takes a major step towards making all streets bikeable in the sector. It has avoided the pitfalls of some recent plans by planning many streets as on-road bikeways rather than just having shared use paths.

### **New Bikeways**

We request the addition of the following bikeways. *These are shown on the attached map.*

- Howard Ave. – Extend the Howard Ave. bikeway as either signed shared roadway (SSR) or bike lanes westward to the western terminus of Howard. This requires no physical changes now, but will ensure bike access if the street is redeveloped.
- Farragut Ave. – Extend the SSR bikeway LB-2 (Farragut Ave) from Connecticut Ave. to St. Paul St. The Wheaton CBD sector plan already includes this connection to Kensington (PB-80 in the Wheaton plan). This requires no physical changes.
- Washington St. – Extend SSR bikeway LB-4 along Calvert Place, Washington St. and Prospect St. to Summit Ave. This requires no physical changes.
- Metropolitan Ave. – Extend the Metropolitan Ave. SSR bikeway (LB-5) west to Plyers Mill Rd. to close a gap in the bikeway grid there.
- Kensington Parkway/Montgomery Ave. – Add a shared use path along Kensington Parkway and Montgomery Ave. between Beach Drive and Howard St. Otherwise the plan contains no off-road paths connecting Kensington to the Rock Creek Trail to the south. Other path locales would not be feasible. Keep SSR designation as well as the path designation, making it a "dual bikeway", because it's a segment of the Connecticut corridor bikeway (SR-17). Montgomery Avenue specifically: Ensure that the currently adequate lane width is retained (from Kensington Parkway to Howard Ave.) or provide bike lanes.

### **Unrealistic Bikeways**

Connecticut Ave. – Bike lanes are not feasible. An alternate route is provided (Kensington Parkway, Lexington St., etc).

University Blvd. – Bike lanes are not feasible. The Wheaton CBD Plan decided that University Blvd. would not be a bikeway. An alternative route is provided (Farragut Ave., McComas Ave).

### **Crossings**

- Railroad track crossing using Saint Paul Street – The proposed railroad crossing at St. Paul St. is the most important new element of the plan for bicyclists. A crossing usable by bicyclists will vastly improve the Connecticut corridor bikeway (SR-17) which lies on the east side of Connecticut from Chevy Chase to Aspen Hill.

- Connecticut Ave. crossing south of the tracks – Provide a safer, quicker bike/ped crossing of Connecticut Ave. at Howard Street or Knowles Ave. We suggest a grade-separated crossing under Connecticut Ave. along the south side of the RR tracks.
- Railroad track crossing using Connecticut Ave. – Upgrade the sidewalk over the railroad tracks (make it 8' wide, separated from the roadway if possible). East side of the road is preferred.

### **Design of Signed Shared Roadway Routes**

Signed shared roadway (SSR) bikeways should be comfortable for as many rider types as possible.

- All arterial roads designated as SSRs (Plyers Mill, Knowles and Summit) should have either shoulders or at least 15' outside lanes. Exceptions may be okay where roads widen out into multiple lanes (the existing configuration is acceptable).
- Plyers Mill Road is part of a signed cross-county bikeway from Potomac to White Oak. Any changes to it must involve the bicycling community.
- For business district streets, we recommend an outside lane width of at least 14.5' or significant traffic calming.
- All roads being rebuilt that are designated as SSR bikeways must consciously account for bicyclists.

### **Prior Draft**

Some of this testimony repeats our Council testimony of Feb. 2010. The Council reviewed a prior plan draft (apparently identical with respect to bikeways) at that time. Council staff responded to comments submitted by the Department of Transportation and MoBike as follows (from [http://kensingtondevelopment.info/pdfs/PHED\\_0317.pdf](http://kensingtondevelopment.info/pdfs/PHED_0317.pdf)):

#### **[Start excerpt from staff memo]**

*Bikeways.* The Plan identifies a number of routes as bikeways, mostly as signed shared roadways (also known as Class III bikeways)...

DOT recommends several additional routes, with which Council staff substantively agrees. Specifically Council staff recommends:

- Extending LB(Local Bikeway)-2 as a signed shared roadway on Farragut Avenue between Connecticut Avenue and Saint Paul Street.
- Extend LB-4 as a signed shared roadway west on Calvert Place to Washington Street, then west on Washington Street across its protected crossing at Connecticut Avenue, then west to Prospect Street, then west to Summit Avenue.
- Add a local bikeway as a signed shared roadway on Howard Avenue between Summit and Connecticut Avenues.

Jack Cochrane of Montgomery Bicycle Advocates also has several recommendations... He recommends designating a shared use path on Metropolitan Avenue not just from the Plan's eastern boundary to Saint Paul Street, but continuing to Plyers Mill Road. Within the last decade the State Highway Administration rebuilt Metropolitan Avenue to a narrow cross-section, with two 12' travel lanes, curb-and-gutter, and brick sidewalks abutting the curbs. Therefore, for the roadway to be widened enough to accommodate a signed shared roadway - to 14.5'-wide lanes - the entire roadway would have to be rebuilt. However, if the roadway would have to be re-built in the southeast segment where the Plan already recommends a signed shared roadway, then the same should apply to the northwest segment. Council staff recommendation: Concur with Montgomery Bicycle Advocates. This comes with the caveat, however, that such an improvement would be in the distant future.

#### **[End excerpt]**


Thank you for considering our comments.

Jack Cochrane  
Chair, Montgomery Bicycle Advocates (MoBike)  
7121 Thomas Branch Drive  
Bethesda, Md. 20817

## MEMORANDUM

December 2, 2011

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM:  Marlene Michaelson, Senior Legislative Analyst

SUBJECT: Kensington Sector Plan

This is the Planning, Housing, and Economic Development (PHED) Committee's second worksession on the revised Kensington Sector Plan (June 2011). This worksession continues the discussion of overall land use strategies, as well as specific properties.

<b>Committee Members should bring a copy of the Sector Plan to the meeting for reference.</b>
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### Overall Land Use Recommendations

The primary decision the Committee must make is whether the Committee's primary goal is to increase density to provide the incentive for redevelopment, or to maintain the existing densities to minimize any real or perceived negative impacts from increased densities, even if maintaining existing zoning limits the potential for redevelopment.<sup>1</sup> Staff believes the best solution is to increase densities to provide the incentive for redevelopment, while adding language to the Sector Plan making sure there is adequate protection for the surrounding neighborhoods and additional attention to the edge properties that abut existing single-family neighborhoods. Preservation of the single-family neighborhoods in Kensington should be paramount, but revitalization of the commercial areas is also critically important, and Staff is convinced this will not occur without an increase in density, given the cost of demolishing existing structure, loss of income from existing tenants or businesses, and the cost to rebuild. Moreover, Staff believes that the quality of the design is more critical than the visual impact of height difference of one or two stories. The Sector Plan should create incentives for quality design.

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<sup>1</sup> Increased traffic would be a real impact. Since the impact of additional height depends on the opinion of the individual, it is a perceived impact.



While Staff is generally supportive of the Planning Board recommendations for height and density as a zoning strategy, Staff recommends that the **Sector Plan** language limit the density to less than allowed by the zone unless the property owner can demonstrate that the proposed project will be an asset to Kensington by being compatible with surrounding uses and consistent with the character of Kensington, and fulfilling the Plan's goals to protect residential neighborhoods and revitalize the commercial core. The burden should be on the developer to provide quality design to obtain the maximum density. If the Committee supports this approach, Staff will work with the Planning Department staff to establish the lower densities and heights for Sector Plan text, considering the recommendations of the Kensington Committee, which recommended slightly lower heights and densities for many properties as described in more detail below (e.g., they recommend that the most dense properties be 2.0 floor area ratio (FAR) and 65 feet instead of the 2.5 FAR and 75 feet recommended in the Plan).

Staff also believes that there should be additional language indicating that special attention should be given to those properties that are adjacent to existing single-family residential development, particularly if it is designated historic. The map attached on © 1 provides a preliminary indication of which properties adjoin single-family detached neighborhoods, and Staff recommends that language be added to the Sector Plan to address transitions at these locations.<sup>2</sup> Additional specific recommendations are included in the property-by-property analysis that follows.

### **Rationale for Zoning Changes**

While numerous properties are recommended for changes in zoning as indicated on the map on page 32 and © 1, the Sector Plan only describes the rationale for the recommended changes in zoning in the text for a very limited number of properties. Staff believes this is problematic (and could even open the door to future rezonings under the "change or mistake" requirements). Staff recommends that Planning Department staff be asked to prepare text that provides the rationale for all recommended changes in zoning so that there is a record of the rationale in the Plan. As noted above, additional text is also important for properties adjacent to residential neighborhoods.

### **CRT vs. CRN**

The Council received testimony suggesting that all properties next to low-density residential neighborhoods should be zoned Commercial/Residential Neighborhood (CRN) rather than Commercial/Residential Town (CRT). For most properties it is difficult to determine the basis of the Planning Board zoning recommendation, due to the lack of text on the rationale for the zoning recommendation. Planning staff indicate that they recommended CRT zoning on properties along major roads and/or properties that are currently zoned commercial, and/or where the provision of public benefits was considered to be critical, since they are required in the CRT zone, not the CRN zone. These factors, not just the proximity to low-density residential development, should be considered when selecting a zone.

Unlike other recently adopted master plans, the Kensington Sector Plan does not identify priority public benefits to be considered at the time of development. A focus on benefits related to exceptional design,

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<sup>2</sup> The locations of properties that adjoin single-family neighborhoods were provided in testimony submitted by the Kensington Communities.

preservation of historic resources, and streetscape may be appropriate to ensure the appropriate character of development in Kensington and may strengthen the rationale for using CRT.

## **Village Center**

Correspondence submitted by the Kensington Committee recommended that the Sector Plan identify the area near the MARC station and Historic District as the “Village Center”. The correspondence included the following recommendation:

Consider creating a “village center” area near the MARC station - from Armory to Frederick (Howard/Montgomery area, both sides of street). Encourage developers, the Town, and planners to work together to create a walkable, friendly, well-planned area away from Connecticut Avenue. This is the historic and current heart of Kensington, with the farmers’ market, antique row, the train station and the shops at Johnson’s Flowers. We recommend a public green space near the MARC station be added to the Sector Plan.

Staff believes that this idea has significant merit and should be explored with Planning Department staff to determine what changes to the Sector Plan would be necessary to promote this goal. Although Connecticut Avenue may be the most appropriate area for the highest densities and a major goal of the Plan is to approve the appearance of this area, it may never be truly pedestrian friendly. Staff agrees that there should be additional attention to the part of Kensington that is a focal point for the community.

## **Development Potential**

At the last worksession, Staff noted that the Sector Plan did not include a summary of existing residential and commercial development, development allowed under the existing zoning, and development that would be allowed under the proposed zoning. Planning Department staff has prepared that information and it appears below. For the CRT and CRN zones, Planning Department staff made assumptions regarding the likely amount of commercial versus residential development. Since the zoning on several properties provides an option regarding the amount of commercial versus residential development, the proportion of residential versus commercial development could be different.

	Commercial Square Feet	Residential Square Feet	Residential Units
Existing	785,950	-	-
Allowed Under Existing Zoning	1,815,082		
Allowed Under Proposed Zoning	870,228	1,660,673	1,329

As apparent from the table, the zoning allows for a modest increase in commercial development (10.7%) but significant new residential development, which is not allowed under the existing zoning. More detailed tables describing existing and proposing development potential by property is attached at © 2 to 3.

## **SPECIFIC PROPERTIES**

The map attached at © 1 identifies each of the properties using the areas identified in the Plan (map on page 32) and further distinguishes the properties in each area with a letter designation. **The Committee should be aware that any effort to change zoning from that supported by the Town Council of Kensington will require a supermajority of the County Council (6 votes).** Except in a few limited circumstances described below, the Town Council supported the Sector Plan as submitted by the Planning Board. The resolution that includes their recommendations for changes in zoning is attached at © 4.

### **Area 1A**

Property Owners/Reference Name: Baker's Union  
Existing Zoning: C-O  
Proposed Zoning: CRT 2.5: C 2.0, R 2.0, H 75

**Sector Plan Recommendations:** The Sector Plan does not specifically discuss this property in text, but it is important to note that Map 10 on page 29 identifies the southern edge of this property for open space.

**Testimony:** Kensington Town Council supported maintaining the open space designation and limiting the height of any building that could be built in this designated area to 45 feet. The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 2.0, H 65. (They note that the existing building is 65-68 feet tall.) They support the Plan recommendations to maintain R-60 zoning to the east and west of the property identified as 1A. The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property, and they also appear to be concerned about the density and height.

**Staff Recommendation:** This is one of the 4 properties near the intersection of Connecticut and Knowles recommended for the highest densities in the Sector Plan, and one where the transition is important. (A 5<sup>th</sup> property is also along Connecticut Avenue between Plyers Mill Road and Howard Avenue.) Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the Sectional Map Amendment (SMA) with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above. Staff believes the southern requirement for open space is important and that the Plan should also include a requirement for lower densities at the southern edge (45 feet) as recommended by the Kensington Town Council, in case for some reason the open space is not preserved.

### **Area 1B**

Property Owners/Reference Name: Safeway Block  
Existing Zoning: C-1  
Proposed Zoning: CRT 2.5, C 2.0, R 2.0, H 75

**Sector Plan Recommendations:** Not discussed in text.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 2.0, H 65.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above.

**Area 1C** (described in Sector Plan on page 20)

Property Owners/Reference Name: Huggins

Existing Zoning: C-2

Proposed Zoning: CRT 2.5, C 2.0, R 2.0, H 75

**Sector Plan Recommendations:** The Plan discussed the Huggins property, the western lot in Area 1C, and the recommendation to rezone this one acre property (as well as the rest of the block) from C-2 to CRT to allow mixed-use development.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 2.0, H 65.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above.

**Area 1D** (described in Sector Plan on page 20)

Property Owners/Reference Name: Burka

Existing Zoning: C-1

Proposed Zoning: CRT 2.5, C 2.0, R 2.0, H 75

**Sector Plan Recommendations:** The Sector Plan describes this property as having significant development potential and recommends street-level shops along Connecticut, Knowles and Howard Avenues, with residential and/or office above. The Plan also recommends a significant public open space at the corner of Connecticut and Knowles Avenues with additional public use space in the form of widened sidewalks that can accommodate café seating on Knowles and Howard Avenues.

**Testimony:** The Burka family submitted testimony supporting the Sector Plan recommendations and noting that they believe this density and height are necessary to take an income producing property offline to redevelop it. The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 2.0, H 65. They also recommend moving the open green space away from the intense traffic on Connecticut Avenue.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above. Regarding the green space, Staff believes the corner of Connecticut and Knowles will be an appropriate location if the Sector Plan recommendations result in a more pedestrian friendly experience on Connecticut, but otherwise agrees with the Kensington

Committee that another location may be more appropriate. The Sector Plan should provide flexibility regarding the location so that the optimum decision can be made at the time of development.

## **Area 1E**

Property Owners/Reference Name: 10400 Connecticut

Existing Zoning: C-O and O-M

Proposed Zoning: CRT 2.5, C 2.0, R 2.0, H 75

**Sector Plan Recommendations:** The Sector Plan does not discuss the zoning for the property.

**Testimony:** For the two lots on the northwestern portion of the site, the **Town Council of Kensington** recommends limiting height below the 75 feet recommended in the Sector Plan. For the most western parcel (3910 Knowles Avenue), they recommend limiting the height to 45 feet. For the parcel directly to the east (3906 Knowles), they recommend limiting height to 50 feet. For the largest parcel (10400 Connecticut Avenue), they support 75 feet, but recommend limiting the southern portion of the property with the garage to 45 feet. (The County Council would need 6 votes to overturn these recommendations.) For the eastern portion of the site, the Kensington Committee believes the zoning recommendation is too dense and allows too great a height, particularly since it is across the street from a single-family residential neighborhood that is designated historic. They instead recommend CRT 2.0, H 65. (They note that the existing building is 65-68 feet tall; others have indicated it is 72 feet.) For the two lots on the northwestern portion of the site (3906 and 3910 Knowles Avenue) they recommend CRT 1.5, H 45. The Civic Federation believes that these properties should be zoned CRN, since they confront R-60 zoned property, and they appear to be concerned about the density and height.

**Staff Recommendation:** Staff supports the overall zoning strategy in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above. Staff does not support a lower density that would make the existing use nonconforming. Rather than split zone the property, Staff recommends limiting the height on those properties directly adjacent to or across the street from single-family detached houses to 45 feet, particularly along Warner Street, which is adjacent to the historic district. Since this last recommendation is not consistent with the recommendations of the Kensington Town Council, the County Council would either have to support this recommendation with 6 votes or ask the Town Council to reconsider the recommendation in their resolution.

## **Area 2** (described in Sector Plan on page 23)

Property Owners/Reference Name: 3700 Plyers Mill Road LLC Property

Existing Zoning: C-1

Proposed Zoning: CRT 2.0, C 1.0, R 1.5, H 60

**Sector Plan Recommendations:** The Plan indicates that this would be an appropriate location for a large residential project (if it redevelops) with single-family attached units along Plyers Mill Road, multifamily units in the site's interior, and some retail along Metropolitan Avenue.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense, since it is across the street from residential development on Plyers Mill Road. They instead recommend CRN 1.5,

H 45. They note that higher heights are appropriate for Metropolitan Avenue, with lower heights near Plyers Mill Road.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above. Staff also believes there should be strengthened language in the Sector Plan about the transition to the single-family neighborhood across Plyers Mill Road. The Sector Plan should also specify a 45 foot height limit for areas that are directly across the street from single-family residential development across the street.

**Area 3A** (described in Sector Plan on page 24)

Property Owners/Reference Name: Stubbs

Existing Zoning: O-M and C-1

Proposed Zoning: CRT 2.0, C 1.5, R 1.5, H 60

**Sector Plan Recommendations:** The Plan recommends changing this existing commercial property between Connecticut and University Boulevard to mixed-use.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendation.

**Area 3B**

Existing Zoning: C-1

Proposed Zoning: CRT 2.0, C 1.5, R 1.5, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendation.

**Area 4A**

Property Owners/Reference Name: Antique Row

Existing Zoning: O-M and C-2

Proposed Zoning: CRT 2.0, C 2.0, R 0.5, H 50

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Council received testimony from Lerch, Early and Brewer on behalf of the owners of Antique Village supporting the Sector Plan zoning recommendations and asking that the Council add 11

design concepts to the Sector Plan.<sup>3</sup> The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 1.0, H 45. They note the property is adjacent to a two-story garden apartment complex and very close to the Historic District. The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property, and they appear to be concerned about the density and height.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above or otherwise contributes to the creation of the Village Center. Staff notes that the incentive of additional density is especially important for the area targeted as the Village Center, to ensure its continued vitality. In addition, this property is adjacent to R-20 and O-M zoning. Regarding the design concepts recommended by the property owner, Staff believes that several of these are already included in the Plan (e.g., height and density limits) or the CRT zone, but that some elements (e.g., enhanced streetscape) may be appropriate to list as a priority benefit under the CRT zone. Any further amendment to setback requirements would need to be accomplished through a zoning text amendment.

#### **Area 4B**

Property Owners/Reference Name: Antique Row

Existing Zoning: C-2

Proposed Zoning: CRT 2.0, C 2.0, R 0.5, H 50

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 1.0, H 45. They note the property is adjacent to a two-story garden apartment complex and very close to the Historic District.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above and/or otherwise contributes to the creation of the Village Center. Staff notes that the incentive of additional density is especially important for the area targeted as the Center, to ensure its continued vitality. In addition, this property is adjacent to R-20 zoning.

#### **Area 4C**

Property Owners/Reference Name: Antique Row

Existing Zoning: C-2 and C-T

Proposed Zoning: CRT 2.0, C 2.0, R 0.5, H 50

**Sector Plan Recommendations:** Not described in Sector Plan text.

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<sup>3</sup> The design concepts are: 1) retain the character of Antique Village; 2) allow a maximum FAR of 2.0; 3) allow a maximum building height of 50 feet; 4) improve the accessibility to the Center; 5) improve the pedestrian environment; 6) provide outdoor spaces for public use; 7) allow a zero lot line setback for all property lines; 8) create a central courtyard or other focal point; 9) allow there to be no on-site parking; 10) enhance the streetscape; and 11) provide a variety in the pedestrian experience.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 1.0, H 45. They note the property is adjacent to a two-story garden apartment complex and R-60 zoning and very close to the Historic District. The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property, and they appear to be concerned about the density and height.

**Staff Recommendation:** Staff supports the density proposed in the Planning Board Draft for the zoning to be mapped via the SMA with a lower maximum limit in the Sector Plan, unless the property owner meets the design objectives stated above and/or otherwise contribute to the creation of the Village Center. Staff notes that the incentive of additional density is especially important for the area targeted as the Center, to ensure its continued vitality.

#### **Area 5A**

Existing Zoning: C-2

Proposed Zoning: CRT 1.5, C 1.5, R 1.0, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

#### **Area 5B**

Existing Zoning: C-T, C-O and R-60

Proposed Zoning: CRT 1.5, C 1.5, R 1.0, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property. The Kensington Committee believes the zoning recommendation is too dense for the two southern lots in this block, since they are adjacent to an R-60 home to the south. They instead recommend CRN 1.0, H 45. They recommend CRT 1.0, H 45 for the eastern lot, since it backs to R-60 residential development.

**Staff Recommendation:** This property should have Sector Plan text that describes the need for transitions to the adjacent residential neighborhoods. Rather than split zone these properties, Staff believes the more appropriate strategy is to support the Sector Plan zoning strategy and add text to the Sector Plan that describes the need to step down height and density along the eastern and southern edges. The transition to the east and the broader residential community is particularly important.



## **Area 6** (described in Sector Plan on page 24)

Property Owners/Reference Name: Konterra

Existing Zoning: C-2 and R-60

Proposed Zoning: CRT 1.5, C 1.5, R 1.5, H 60

**Sector Plan Recommendations:** The Sector Plan notes that a portion of this former concrete plant will be used for commuter parking and other civic uses. The Plan recommends the CRT zone to accommodate the redevelopment of the remaining portion of the property.

**Testimony:** The Council received detailed testimony from the property owner requesting an increase in the allowed height to 75 feet, which they believe is needed to make the project financially feasible. The additional height will allow them to build 80 instead of 60 units and allow them to increase ceiling height to 9 feet (instead of 8 feet), which they believe is necessary so that they can build a luxury housing project. They note that the topography of the site will mean that portions of the site will still only be 60 feet high, while other areas will need the 75 feet. The Council also received testimony from a number of sources supporting the Planning Board recommendation to limit height to 60 feet. Staff notes that Planning Department staff supported the increased height.

**Staff Recommendation:** There are both pros and cons to the prospect of additional height. On the positive side, this is perhaps the only property owner to indicate a near term intent to redevelop, and this project could have a positive impact on the area and lead to other redevelopment. It could also, if done correctly, support the vision of a Village Center near the MARC station. If not done correctly, the project could have a negative impact on the adjacent historical buildings and surrounding areas. Once again, Staff believes that the impact on the surrounding community will be more a function of quality design than height. Staff believes that the appropriate solution is to set the zoning to allow 75 feet, but in the Sector Plan text cap the height at 60 feet unless the property owner can demonstrate that the additional height will not conflict with historic buildings or surrounding residences and will add to the vision of creating a Village Center near the MARC station (assuming the Committee agrees with the Staff recommendation for a Village Center at this location).

## **Area 7A**

Property Owners/Reference Name: Kaiser

Existing Zoning: O-M, C-1, and C-2

Proposed Zoning: CRT 1.5, C 1.0, R 0.5, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property.

**Staff Recommendation:** Although these properties are adjacent to residential development, they are currently zoned commercial and developed with a commercial use. Staff supports the Sector Plan zoning recommendation, with additional language regarding transitions to existing residential houses.

## **Area 7B**

Property Owners/Reference Name: Savannah's Restaurant

Existing Zoning: C-2

Proposed Zoning: CRT 1.5, C 1.0, R 0.5, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Council received testimony from Stan Abrams on behalf of William Calomiris Co., Inc., owner of property that straddles the southern parts of areas 7B and 9C. They object to having their property split zoned and believe the entire property should be zoned CRT (see discussion under area 9C below).

**Staff Recommendation:** Support the Sector Plan recommendation for 7B.

## **Area 7C**

Existing Zoning: C-2 and R-60

Proposed Zoning: CRT 1.5, C 1.0, R 0.5, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

## **Area 7D**

Existing Zoning: C-2

Proposed Zoning: CRT 1.5, C 1.0, R 0.5, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

## **Area 8A**

Existing Zoning: C-1, C-O, and R-60

Proposed Zoning: CRT 1.5, C 1.0, R 1.0, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property. The Kensington Committee believes the zoning recommendation is too

dense for the two eastern lots in this block, since they are adjacent to a residential development. They instead recommend CRN 1.0, H 45.

**Staff Recommendation:** Rather than split zone these properties, Staff supports the Sector Plan recommendations, but recommends adding language regarding transitions to adjoining low-density residential houses with specific lower limits for height and density on the two most eastern lots.

## **Area 8B**

Property Owners/Reference Name: Johnson's

Existing Zoning: R-10 and R-60

Proposed Zoning: CRT 1.5, C 1.0, R 1.0, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee believes that CRN is the more appropriate zone, since this property is across the street from R-60 homes and the Historic District. They instead recommend CRN 1.0, H 45 and recommend that this area be designated as the "Village Center" with a public green near the MARC station. They note the property is adjacent to a two-story garden apartment complex and very close to the Historic District. The Civic Federation believes that the properties should be zoned CRN, since they confront R-60 zoned property.

**Staff Recommendation:** Staff agrees with the Kensington Committee that this is an appropriate location for a Village Center and that a public green may also be appropriate. To provide incentive for redevelopment and to enable the provision of public benefits that can help foster the Village Center, Staff believes that the CRT zone and the recommended densities are appropriate. Language should be added to the Sector Plan regarding the need for transitions to the adjacent residential community.

## **Area 9A**

Existing Zoning: I-1, C-2, and C-T

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee recommends that the portion of this block zoned C-T should be zoned CRN at a lower density CRN 1.0, H 45, since it is across the street from existing R-60 used as single-family home.

## **Area 9B**

Existing Zoning: C-2

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

#### **Area 9C**

Property Owners/Reference Name: Mr. Car Wash and Jiffy Lube

Existing Zoning: C-1, R-60 and C-2

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Council received testimony from Stan Abrams on behalf of William Calomiris Co., Inc., owner of property that straddles the southern parts of areas 7B and 9C. They object to having their property split zoned and believe the entire property should be zoned CRT. They also believe that there is no need to limit the portion of their property in area 9C to 45 feet since the Town of Kensington Municipal Public Works facility serves as a buffer between this property and the residential development to the west.

**Staff Recommendation:** It appears that the Sector Plan recommendations could make the existing businesses nonconforming and prevent the unified redevelopment of this property. Staff has asked Planning Department staff to be prepared to comment at this worksession as to whether there would be any negative consequence of granting the property owner request for CRT on the portion of 9C owned by William Calomiris Co.

#### **Area 9D**

Existing Zoning: C-2

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendation.

#### **Area 9E (map on page 22)**

Property Owners/Reference Name: Crafts/Services District

Existing Zoning: C-2

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee recommends that the two northeastern lots be zoned at a lower density (CRN 1.0, H 45), since they are across the street from existing R-60 development.

**Staff Recommendation:** Retain the zoning recommended in the Sector Plan, but add language regarding the transition to single-family detached houses.

**Area 9F** (map on page 22)

Property Owners/Reference Name: Crafts/Services District

Existing Zoning: C-2 and R-60

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee recommends that this property be zoned at a lower density (CRN 1.0, H 45) since it backs to existing R-60 development.

**Staff Recommendation:** Retain the zoning recommended in the Sector Plan but add language regarding the transition to single-family detached houses.

**Area 9G** (map on page 22)

Property Owners/Reference Name: Crafts/Services District

Existing Zoning: C-2 and C-T

Proposed Zoning: CRN 1.5, C 1.5, R 1.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee recommends that the northern portion of this property be zoned CRN 1.0, H 45 since it is surrounded by R-60 development on three sides.

**Staff Recommendation:** Staff concurs with the recommendation of the Kensington Committee to reduce the density on the northern portion of this site.

**Area 10A**

Property Owners/ Reference: Kaiser Family House

Existing Zoning: C-T and R-60

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee believes the zoning recommendation is too dense and allows too great a height for this 115 year old home they believe to be historic, even though it has not been designated, and instead recommends that the Sector Plan retain the existing R-60 zoning.

**Staff Recommendation:** Staff has asked Planning Department staff to check to see if there is any potential that this house will be designated historic. If so, the Committee should consider changing the zoning recommendation in the Sector Plan.

#### **Area 10B**

Existing Zoning: C-T

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

#### **Area 10C**

Existing Zoning: C-T

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations.

#### **Area 10D**

Existing Zoning: C-T and R-60

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations, but add language regarding transitions to adjoining low-density residential houses.

#### **Area 10E**

Existing Zoning: C-1 and R-60

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee believes the zoning on the eastern portion should be kept as R-60, since is across from residential and is used as a green space buffer.

**Staff Recommendation:** Support the Sector Plan recommendations, but add language regarding transitions to adjoining low-density residential houses.

#### **Area 10F**

Existing Zoning: C-1 and C-T

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations, but add language regarding transitions to adjoining low-density residential houses.

#### **Area 10G**

Existing Zoning: C-1

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** None

**Staff Recommendation:** Support the Sector Plan recommendations, but add language regarding transitions to adjoining low-density residential houses.

#### **Area 10H**

Existing Zoning: C-1, C-T and R-60

Proposed Zoning: CRN 1.0, C 1.0, R 0.5, H 45

**Sector Plan Recommendations:** Not described in Sector Plan text.

**Testimony:** The Kensington Committee believes the easternmost property with an R-60 home should retain its R-60 zoning, since it is across the street from other R-60 homes.

**Staff Recommendation:** Staff believes it would be inappropriate to keep one lot R-60, with the rest of the block to the west CRN, and instead recommends adding language regarding transitions to adjoining low-density residential houses.

## **Area 11**

Existing Zoning: O-M and C-T

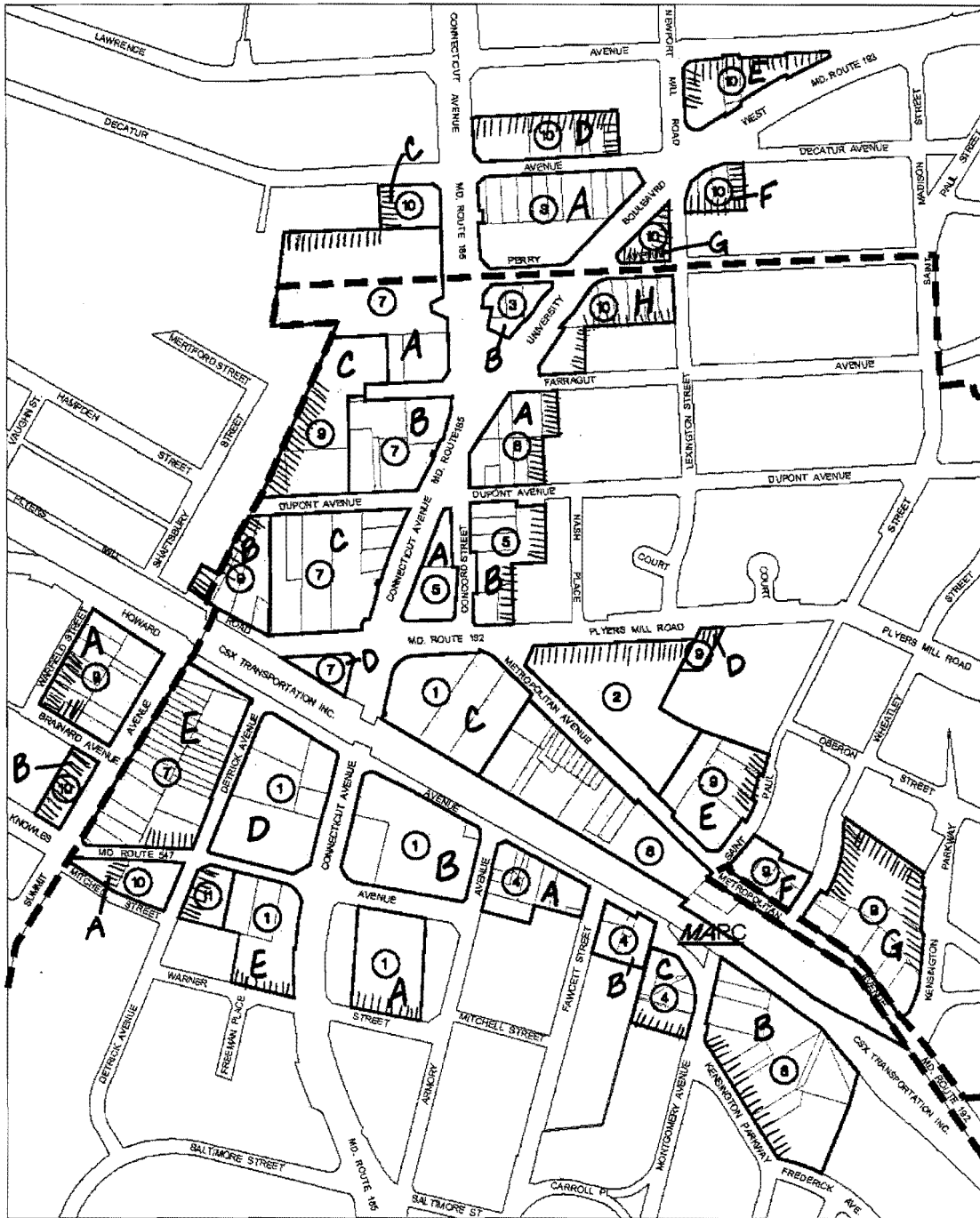
Proposed Zoning: CRN 2.5, C 2.0, R 2.0, H 60

**Sector Plan Recommendations:** Not described in Sector Plan text.

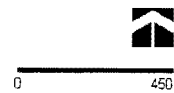
**Testimony:** The Kensington Town Council recommends limiting the height on this property to 45 feet. The Kensington Committee believes the zoning recommendation is too dense and allows too great a height and instead recommends CRT 1.0, H 45. They note that this property is north of an existing townhouse community and east of an existing single-family home. (The house to the west is described under area 10A above.)

**Staff Recommendation:** If the Planning Department believes there is any potential to designate the house on area 10A historic, then the Committee should consider adjusting the FAR and height. If it is not historic and ultimately to redevelop under the Sector Plan recommended CRN zone, then Staff believes the zoning is appropriate, but the Sector Plan should limit density to a lower amount unless the owner can achieve the design objectives described above.





- |                               |                               |                               |
|-------------------------------|-------------------------------|-------------------------------|
| ① CRT 2.5: C 2.0, R 2.0, H 75 | ⑤ CRT 1.5: C 1.5, R 1.0, H 60 | ⑨ CRN 1.5: C 1.5, R 1.5, H 45 |
| ② CRT 2.0: C 1.0, R 1.5, H 60 | ⑥ CRT 1.5: C 1.5, R 1.5, H 60 | ⑩ CRN 1.0: C 1.0, R 0.5, H 45 |
| ③ CRT 2.0: C 1.5, R 1.5, H 60 | ⑦ CRT 1.5: C 1.0, R 0.5, H 60 | ⑪ CRT 2.5: C 2.0, R 2.0, H 60 |
| ④ CRT 2.0: C 2.0, R 0.5, H 50 | ⑧ CRT 1.5: C 1.0, R 1.0, H 45 |                               |
- Town of Kensington



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EXISTING DEVELOPMENT					
Property/Area	Size	Zone	GFA	FAR	Units
Burka/1	138000	C2	42380	0.31	0
Levin/1	80150	C2	105478	1.32	0
Huggins/1	46100	C2	2060	0.04	0
Bakers Union/1	75400	CO	85355	1.13	0
10400 Connecticut/1	49400	CO	73489	1.49	0
3700 Plyers Mill Road/2	156500	C2	244934	1.57	0
Konterra/6	84071	C2	0	0.00	0
Parkway/9	68400	CT	32970	0.48	0
Mizell/6	56500	C2, I1	7653	0.14	0
Curtis/3	73300	C1, OM	22154	0.30	0
Stubbs/3	52800	C1	19349	0.37	0
Calomiris/7	76600	C2	12647	0.17	0
Kaiser/7	176400	OM	51800	0.29	0
Kaiser/10	28200	CT	23600	0.84	0
West Farragut Office Condos/9	72600	C2	19406	0.27	0
Antique Village/4	29800	C2	15987	0.54	0
Johnson/8	70000	C1, I1	26688	0.38	0
<b>Totals</b>	<b>1334221</b>		<b>785950</b>		<b>0</b>

# COMPARISON OF DEVELOPMENT UNDER EXISTING VERSUS PROPOSED ZONES

Property/Area	Existing Commercial Zones					Proposed CR Zones											
						Residential								Commercial		Total	
	Size	Zone	Max FAR	Max GFA	Units	Max FAR	% likely	Max GFA	%	Res sf	Res FAR	SF/unit	Units	%	Comm sf	Total sf	FAR
Burka/1	138000	C2	1.5	207000	0	2.5	100%	345000	80%	276000	2.0	1250	221	20%	69000	345000	2.5
Levin/1	80150	C2	1.5	120225	0												
Huggins/1	46100	C2	1.5	69150	0	2.5	100%	315625	80%	252500	2.0	1250	202	20%	63125	315625	2.5
Bakers Union/1	75400	CO	1.5	113100	0	2.5	100%	188500	80%	150800	2.0	1250	121	20%	37700	188500	2.5
10400																	
Connecticut/1	49400	CO	1.5	74100	0	2.5	100%	123500	80%	98800	2.0	1250	79	20%	24700	123500	2.5
3700 Plyers Mill																	
Road/2	156500	C2	1.5	234750	0	2.0	100%	313000	75%	234750	1.5	1250	188	25%	78250	313000	2.0
Konterra/6	84071	C2	1.5	126107	0	1.5	100%	126107	83%	104668	1.2	1250	84	17%	21018	125686	1.5
Parkway/9	68400	CT	0.5	34200	0	1.5	100%	102600	100%	102600	1.5	1250	82	0%	0	102600	1.5
Mizell/6	56500	C2, I1	1.5	56500	0	1.5	100%	84750	83%	70343	1.2	1250	56	17%	14125	84468	1.5
Curtis/3	73300	C1, OM	1.5	109950	0	2.0	100%	146600	75%	109950	1.5	1250	88	25%	36650	146600	2.0
Stubbs/3	52800	C1	none	52800	0	2.0	100%	105600	77%	81312	1.5	1250	65	23%	23760	105072	2.0
Calomiris/7	76600	C2	1.5	114900	0	1.5	100%	114900	0%	0	0.0	1250	0	100%	114900	114900	1.5
Kaiser/7	176400	OM	1.5	264600	0	1.5	100%	264600	33%	88200	0.5	1250	71	67%	176400	264600	1.5
Kaiser/10	28200	CT	0.5	14100	0	1.0	100%	28200	50%	14100	0.5	1250	11	50%	14100	28200	1.0
West Farragut																	
Office Condos/9	72600	C2	1.5	108900	0	1.5	100%	108900	0%	0	0.0	1250	0	100%	108900	108900	1.5
Antique Village/4	29800	C2	1.5	44700	0	2.0	100%	59600	0%	0	0.0	1250	0	100%	59600	59600	2.0
Johnson/8	70000	C1, I1	none	70000	0	1.5	100%	105000	73%	76650	1.1	1250	61	27%	28000	104650	1.5
Totals	1,334,221			1,815,082				2,532,482		1,660,673			1,329		870,228	2,530,901	

**Amended Resolution No. R-28-2010**

**A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF KENSINGTON  
RECOMMENDING CHANGES IN THE SUGGESTED ZONING CATEGORIES WITH REGARD  
TO PARCELS WITH THE KENSINGTON SECTOR PLAN**

**Whereas** the Mayor and Town Council have received further comments and recommendations from its residents with regard to several parcels in the Kensington Sector Plan; and

**Whereas**, the Mayor and Council wish to go on record recommending that parcels located at 4000 Knowles Avenue and 10408 Detrick Avenue remain in their current zoning classifications and not be rezoned to CR; and

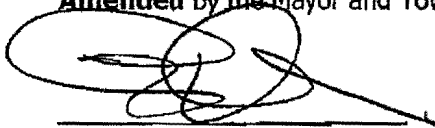
**Whereas**, the Mayor and Council have had the opportunity to review in greater detail height recommendations for three parcels located at 3906, 3910 and 3930 Knowles Avenue which are located on the south side of Knowles Avenue between Detrick Avenue and Connecticut Avenue and have determined that they should be rezoned CR but with a lower height limitation of 50 feet for 3906 Knowles Avenue and 45 feet for 3910 and 3930 Knowles Avenue rather than the current proposed height limit of 75 feet; and

**Whereas**, the Mayor and Council feel that the property located 10400 Connecticut Avenue should be rezoned CR category at height limit of 75 feet, however, It is recommended that the southern portion of the property which contains the parking garage have a height limit of 45 feet.

**Now Therefore Be It Resolved** by the Mayor and Town Council, in public meeting assembled, do hereby urge the Montgomery County Council to officially modify the earlier recommendations made by the Maryland National Capital Park and Planning Commission prior to final adoption of Kensington Sector Plan to include the following:

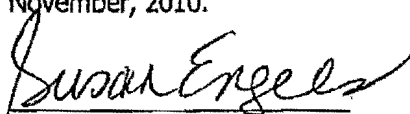
1. Allow 4000 Knowles Avenue and 10408 Detrick Avenue to remain in their current zoning classifications.
2. Rezone the property located 3906 Knowles Avenue to CR but with a lower height limitation of 50 feet rather than the proposed height limit of 75 feet.
3. Rezone the properties located 3910 and 3930 Knowles Avenue to CR but with a lower height limitation of 45 feet rather than the proposed height limit of 75 feet.
4. Rezone 10400 Connecticut to CR with a height limit of 75 feet, but limit the height of the southern portion of the property that contains the parking garage to 45 feet.
5. Maintain the open space designation of the southern portion of the property located at 10401 Connecticut Avenue as green space and limit the height of any building that could be built in this designated area to 45 feet.

**Amended by the Mayor and Town Council this 29th day of November, 2010.**



Peter C. Fosselman, Mayor

This is to certify that the foregoing Resolution was amended by the Town Council in public meeting assembled on the 29th day of November, 2010.



Susan Engels, Clerk- Treasurer